

**SIXTY-THIRD DAY**

(Tuesday, April 24, 1945)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Spears
Graves	Stanford
Hazlewood	Stone
Jones	Sulak
Knight	Taylor
Lane	Vick
Lanning	Weinert
Martin	Winfield
Mauritz	York
Metcalf	

A quorum was announced present.

The Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal approved.

**Leaves of Absence Granted**

Senators Kelley and Shivers were granted leaves of absence for today on account of important business on motion of Senator Martin.

**Reports of Standing Committees**

Senator Carney submitted the following report:

Austin, Texas,  
April 23, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 677 and S. B. No. 261, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Senator Spears submitted the following report:

Austin, Texas,  
April 23, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Pub-

lic Debts, Claims and Accounts, to whom was referred H. B. No. 505, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SPEARS, Chairman.

Senator Weinert submitted the following report:

Austin, Texas,  
April 23, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Oil, Gas and Conservation, to whom was referred H. B. No. 628 by Lansberry, et al, have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass, and be printed.

WEINERT, Chairman.

Senator Bullock submitted the following report:

Austin, Texas,  
April 23, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Education, to whom was referred H. B. No. 828, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BULLOCK, Chairman.

Senator Sulak submitted the following reports:

Austin, Texas,  
April 24, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Public Health to whom was referred H. B. No. 82, have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SULAK, Chairman.

Austin, Texas,  
April 24, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Public Health to whom was referred H. B. No. 49, have had the same under consideration and I am instructed to report it back to the Senate with the

recommendation that it do pass and be printed.

SULAK, Chairman.

Senator Hazlewood submitted the following report:

Austin, Texas,  
April 23, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Public Lands to whom was referred H. B. No. 829, have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Senator Vick submitted the following reports:

Austin, Texas,  
April 23, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 798, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

VICK, Chairman.

Austin, Texas,  
April 23, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 305, have had the same under consideration and I am instructed to report it back with the recommendation that it do pass and be not printed.

VICK, Chairman.

#### Senate Bill 81 With House Amendments

Senator Spears called S. B. No. 81 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read:

On motion of Senator Spears, the Senate concurred in the House amendments.

#### Senate Bill 328 on First Reading

Senator Graves moved that the rules adopted pursuant to Section 5

of Article III of the State Constitution be suspended to permit his introducing at this time a bill the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Spears
Graves	Stanford
Hazlewood	Stone
Jones	Sulak
Knight	Taylor
Lane	Vick
Lanning	Weinert
Martin	Winfield
Maurtiz	York
Metcalf	

Absent—Excused

Kelley Shivers

The following bill then was introduced, read first time and referred to the Committee on Education:

By Senators Graves, Morris, Aikin, Winfield and Martin:

S. B. No. 328, a bill to be entitled "An Act amending Sec. 2 of Article 2911a (Acts 1941, 47th Legislature) authorizing the State Board of Education to purchase text books and recorded Spanish exercises for teaching the Spanish language in such grades or sections of grades as may be designated by Board of Trustees in Independent and Common School Districts of the State; and declaring an emergency."

#### Senate Bill 329 on First Reading

Senator Hazlewood moved that the rules adopted pursuant to Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Crawford
Brown	Graves
Bullock	Hazlewood
Carney	Jones
Chadick	Knight

Lane	Spears
Lanning	Stanford
Martin	Stone
Mauritz	Sulak
Metcalf	Taylor
Moffett	Vick
Moore	Weinert
Morris	Winfield
Parrish	York
Ramsey	

**Absent—Excused**

Kelley	Shivers
--------	---------

The following bill then was introduced, read first time and referred to the Committee on Counties and County Boundaries:

By Senator Hazlewood:

S. B. No. 329, A bill to be entitled "An Act authorizing the Commissioners Courts of certain counties to place revenues from motor vehicles registration fees allocated to said counties in any County Fund or Funds that such Commissioners' Courts may see fit and expend said revenues for any lawful purpose.

**Senate Bill 330 on First Reading**

Senator Carney moved that the rules adopted pursuant to Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill the provisions of which he explained.

The motion prevailed by the following vote:

**Yeas—29**

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Spears
Graves	Stanford
Hazlewood	Stone
Jones	Sulak
Knight	Taylor
Lane	Vick
Lanning	Weinert
Martin	Winfield
Mauritz	York
Metcalf	

**Absent—Excused**

Kelley	Shivers
--------	---------

The following bill then was introduced, read first time and referred to the Committee on State Affairs:

By Senator Carney:

S. B. No. 330, A bill to be entitled "An Act to aid Marion County, Texas, in the procuring of land, laying out, constructing and reconstructing public roads and highways and bridges in the various Commissioners' Precincts of said County; authorizing the Commissioners' Court of Marion County, Texas, to issue Road and Bridge Warrants, limiting the amount thereof and the interest to be paid thereon; providing a penalty for misappropriation of the moneys donated; defining certain conditions within said county to constitute a public calamity; providing that if any section, subsection, paragraph, clause, sentence or word of this Act or the application thereof to any person or circumstances is held invalid, such holding shall not affect the validity of the remaining provisions of this Act, the Legislature declaring that it would have passed such remaining portions, despite any partial invalidity; and declaring an emergency."

**Senate Joint Resolution 18 on Third Reading**

Senator Winfield moved that the regular order of business be suspended to take up on its third reading and final passage:

S. J. R. No. 18, Proposing an amendment to the Constitution of the State of Texas by adding a new Section to be known as Section 17 of Article VII providing that the Legislature shall appropriate the Available University Fund in the proportion of one-third (1/3) to the Agricultural and Mechanical College of Texas and the balance to the University of Texas for the support, maintenance, and operation of and the acquiring of permanent improvements at said institutions, and empowering the Legislature to authorize the governing boards of said institutions to pledge the Available University Fund as hereby apportioned or any part thereof to secure bonds or notes issued for the purpose, or to refund bonds or notes issued for the purpose, of constructing buildings or other permanent improvements on the campus of said institutions; providing that such bond or notes shall be in such amounts as may be determined by the Legislature and to mature not later than thirty (30) years from their dates and authorizing the investment of the University Permanent Fund in such bonds or notes; providing for the

submission of this amendment to a vote of the people of Texas; providing the time, means, and manner thereof and making an appropriation for such purpose.

The motion prevailed by the following vote:

#### Yeas—21

Brown	Moffett
Bullock	Moore
Carney	Ramsey
Crawford	Spears
Graves	Stanford
Hazlewood	Stone
Jones	Sulak
Lanning	Taylor
Martin	Weinert
Mauritz	Winfield
Metcalf	York

#### Nays—6

Aikin	Lane
Chadick	Morris
Knight	Vick

#### Absent

Graves	Parrish
--------	---------

#### Absent—Excused

Kelley	Shivers
--------	---------

The President laid the resolution before the Senate, on its third reading and final passage.

The resolution was read third time.

Senator Metcalfe offered the following amendment to the resolution:

Amend S. J. R. No. 18 by inserting a new Section before Section 1, to be numbered "Section 1" reading as follows:

Section 1. That Section 14 of Article 7 of the Constitution of the State of Texas be amended so as to be known as Section 14 and Section 14-a to read as follows:

"Sec. 14. The Legislature shall have the power to establish and provide for the improvement, maintenance, and direction of a University of the first class for the training and education of the colored youths of the State of Texas; and this University shall be styled Prairie View University.

"Sec. 14-a. The Legislature shall have no power to levy a tax or appropriate any money out of the General Revenue for the erection of the buildings of the University of Texas or the Agricultural and Mechanical Col-

lege of Texas, and re-number the present section 1 as Section 2.

METCALFE  
SULAK

(Pending consideration of the amendment, Senator Mauritz occupied the Chair temporarily).

(President in the Chair)

The amendment was adopted by the following vote:

#### Yeas—27

Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Spears
Graves	Stanford
Hazlewood	Stone
Knight	Sulak
Lane	Taylor
Lanning	Vick
Martin	Weinert
Maurtiz	Winfield
Metcalf	York
Moffett	

#### Nays—1

Aikin

#### Absent

Jones

#### Absent—Excused

Kelley	Shivers
--------	---------

On motion of Senator Winfield, and by unanimous consent, the caption was amended to conform with the body of the resolution as amended.

Question—Shall the resolution be passed?

#### Bill Re-referred

On motion of Senator Vick, and by unanimous consent, House Bill No. 527 was re-referred from the Committee on Veterans' Affairs to the Committee on Insurance.

#### Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
April 24, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill and resolutions:

H. C. R. No. 33, Relative to the adoption of a rule by the State Public Welfare Department concerning applicants for old age assistance.

H. C. R. No. 63, Congratulating the Honorable Jack Danciger upon receiving the Order of the Aztec Eagle, the highest decoration awarded by the Government of Mexico.

H. B. No. 38, A bill to be entitled "An Act providing for the protection of the public health; defining certain terms used in the Act; authorizing the State Board of Health to define and fix the specifications and standards for certain meat and meat food products sold for human food as defined in the Act; providing that specifications and standards defined and fixed shall be in harmony with the regulations contained and set out in this Act; authorizing the State Board of Health and its representatives to supervise and regulate the grading and labeling of meat and meat products sold for human food."

H. B. No. 123, To amend Articles 4201 and 4216, Revised Civil Statutes of Texas, 1925, as amended (changing the bond requirements of a guardian when selling real estate of a ward); repealing all laws in conflict; and declaring an emergency.

H. B. No. 574, Providing for the change in the name of the Criminal District Courts of Nueces, Kleberg, Willacy and Cameron Counties.

H. B. No. 711, A bill to be entitled "An Act to amend Article 3269 of the Revised Civil Statutes of the State of Texas of 1925, as amended by Chapter 245 of the Acts of the 42nd Legislature of Texas, Regular Session, H. B. No. 595, p. 413 (providing for procedure and practice in suits in the District Courts of this State), involving the title or rights of possession or to acquire properties, which any part having the power of Eminent Domain may seek to condemn, for condemnation of such properties in such suit, assessment of damages, injunction; and declaring an emergency."

Respectfully submitted,  
CLARENCE JONES,  
Chief Clerk, House of Representatives.

#### Reports of Standing Committees

By unanimous consent, the following reports were submitted at this time:

Austin, Texas,  
April 24, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred H. B. No. 128, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CARNEY, Vice Chairman.

Austin, Texas,  
April 24, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, the Committee on State Affairs, to whom was referred H. B. No. 282, have had same under consideration, and we wish to report it back to the Senate with the recommendation that it do pass and be not printed.

MAURITZ, Chairman.

Austin, Texas,  
April 24, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred S. B. No. 329, have had the same under consideration, and are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CHADICK, Chairman.

Austin, Texas,  
April 24, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 530, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

VICK, Chairman.

Austin, Texas,  
April 24, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Education to whom was referred H. B. No. 816, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

BULLOCK, Chairman.

## Recess

Senator Stanford moved that the Senate recess to 2:30 o'clock p. m., today.

Senator Moore moved that the Senate recess to 3:00 o'clock p. m., today.

Senator Lane moved that the Senate adjourn until 10:00 o'clock a. m., tomorrow.

Question first recurring on the motion of Senator Lane, yeas and nays were demanded.

The motion was lost by the following vote:

## Yeas—6

Aikin	Lanning
Chadick	Morris
Lane	Vick

## Nays—22

Brown	Moffett
Bullock	Moore
Carney	Parrish
Crawford	Spears
Graves	Stanford
Hazlewood	Stone
Jones	Sulak
Knight	Taylor
Martin	Weinert
Mauritz	Winfield
Metcalf	York

## Absent

Ramsey

## Absent—Excused

Kelley Shivers

Question next recurring on the motion of Senator Moore that the Senate recess to 3:00 o'clock p. m., today, it prevailed.

The Senate, accordingly, at 12:10 o'clock p. m., took recess to 3:00 o'clock p. m. today.

## Afternoon Session

The Senate met at 3:00 o'clock p. m., and was called to order by the President.

## Senate Joint Resolution 18 on Final Passage

The Senate resumed consideration of pending business, same being S. J. R. No. 18, relative to funds for permanent improvements at the University of Texas and Agricultural and

Mechanical College, on its final passage.

Senator Winfield moved to lay the resolution on the table subject to call.

Senator Morris moved to postpone further consideration of the resolution until Monday, April 30, 1945.

Senator Taylor moved to table the motion to postpone.

Yeas and Nays were demanded, and the motion to table prevailed by the following vote:

## Yeas—21

Brown	Moore
Bullock	Parrish
Carney	Ramsey
Crawford	Stanford
Hazlewood	Stone
Jones	Sulak
Lanning	Taylor
Martin	Weinert
Mauritz	Winfield
Metcalf	York
Moffett	

## Nays—8

Aikin	Lane
Chadick	Morris
Graves	Spears
Knight	Vick

## Absent—Excused

Kelley Shivers

Question then recurring on the motion of Senator Winfield, to lay the resolution on the table subject to call, it prevailed.

## House Bill 43 Set as Special Order

Senator Chadick moved that House Bill No. 43 be set as a special order for Wednesday, April 25, 1945, immediately following the disposition of the special orders already set for that day.

The motion prevailed by the following vote:

## Yeas—26

Aikin	Metcalf
Bullock	Moffett
Carney	Moore
Chadick	Morris
Crawford	Parrish
Graves	Ramsey
Jones	Spears
Knight	Stanford
Lane	Stone
Martin	Sulak
Mauritz	Taylor

Vick	Winfield
Weinert	York

Absent

Brown	Lanning
Hazlewood	

Absent—Excused

Kelley	Shivers
--------	---------

**House Bill 56 Set as Special Order**

Senator Morris moved that House Bill No. 56 be set as a special order for Wednesday, April 25, 1945, immediately following the disposition of the special orders already set for that day.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Spears
Graves	Stanford
Hazlewood	Stone
Jones	Sulak
Knight	Taylor
Lane	Vick
Lanning	Weinert
Martin	Winfield
Maurtiz	York
Metcalf	

Absent—Excused

Kelley	Shivers
--------	---------

**House Bill 347 Set as Special Order**

Senator Lane moved that House Bill No. 347 be set as a special order for Wednesday, April 25, 1945, immediately following the disposition of the special orders already set for that day.

The motion prevailed by the following vote:

Nays—29

Aikin	Lane
Brown	Lanning
Bullock	Martin
Carney	Maurtiz
Chadick	Metcalf
Crawford	Moffett
Graves	Moore
Hazlewood	Morris
Jones	Parrish
Knight	Ramsey

Spears	Vick
Stanford	Weinert
Stone	Winfield
Sulak	York
Taylor	

Absent—Excused

Kelley	Shivers
--------	---------

**Senate Concurrent Resolution 29**

Senator Ramsey, by unanimous consent, offered at this time the following resolution:

S. C. R. No. 29, Concerning the creation of additional river valley authorities:

Whereas, Under the provisions of the Joint Resolution of the United States Congress admitting Texas to the Union the State retained all of its public lands to be applied, first, to payment of its public debt; the residue thereof to be disposed of as the State may see fit; and

Whereas, Under and by virtue of said grant Texas has heretofore and is now claiming and asserting the right to dispose of its public lands and to control the appropriation, distribution and use of its public waters in accordance with State Law, which claim of right and assertion of power has heretofore been recognized by the Courts and the Federal Government and its agencies; and

Whereas, There have been introduced in the Congress bills proposing the creation of valley authorities for the purpose of undertaking, among numerous other things, the development, utilization, and management of waters of the several valleys of the United States; and

Whereas, Authorities provided in proposed legislation are Government corporations, vested with unlimited powers, clothed with governmental immunity from responsibility for their acts, free from ordinary congressional controls, beyond the jurisdiction of the General Accounting Office, established by Congress for supervising the expenditure of public funds; would deprive the states of jurisdiction over the distribution and use of waters within their boundaries; drastically interferes with and seeks to control the economy of the affected states; unreasonably and unwisely centralize in a Federal agency powers and duties more appropriately lodged in and efficiently performed by the states; and finally build unwholesome and unde-

sirable Government monopolies; and

Whereas, For the reasons stated the Texas Legislature is of the opinion such authorities are unnecessary, and unwise, and undesirable; therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, that the Texas Legislature does hereby declare its opposition to the enactment of regional or valley authority legislation for the rivers of the Nation, of the type and character contained in proposals now before Congress; and be it further

Resolved, That the Secretary of the Senate be authorized and directed to send a copy of this Resolution to the President of the United States and to all members of the Texas delegation in Congress.

The resolution was read.

Senator Ramsey moved that the resolution be considered immediately.

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

**Yeas—13**

Carney	Morris
Crawford	Ramsey
Knight	Spears
Lanning	Taylor
Martin	Winfield
Moffett	York
Moore	

**Nays—12**

Aikin	Mauritz
Bullock	Metcalfe
Chadick	Stanford
Graves	Stone
Jones	Sulak
Lane	Vick

**Absent**

Brown	Parrish
Hazlewood	Weinert

**Absent—Excused**

Kelley	Shivers
--------	---------

The resolution then was referred to the Committee on State Affairs.

**House Concurrent Resolution 63**

On motion of Senator Martin, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 63, Congratulating the Honorable Jack Danciger upon receiv-

ing the Order of the Aztec Eagle, the highest decoration awarded by the Government of Mexico.

The President laid the resolution before the Senate, and it was read and was adopted.

**Reports of Standing Committees**

By unanimous consent, the following reports were submitted at this time:

April 24, 1945.

Austin, Texas,

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred S. B. No. 162, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendments attached and be not printed.

LANNING, Chairman.

Austin, Texas,

April 24, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Insurance to whom was referred H. B. No. 540, have had same under consideration, and beg to report it back to the Senate with the recommendation that it do pass and be not printed.

VICK, Chairman.

Austin, Texas,

April 24, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs to whom was referred H. B. No. 583, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MAURITZ, Chairman.

Austin, Texas,

April 24, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising, to whom was referred H. B. No. 562, have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MOFFETT, Chairman.



Austin, Texas,  
April 24, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Public Land and Land Office, to whom was referred H. B. No. 443, have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HAZLEWOOD, Chairman.

Austin, Texas,  
April 24, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 375, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

VICK, Chairman.

Austin, Texas,  
April 24, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred H. B. No. 527, have had the same under consideration, and beg to report same back to the Senate with the recommendation that it do pass and be not printed.

GRAVES, Chairman.

#### Senate Bill 319 on Second Reading

Senator Lanning moved that the regular order of business be suspended to take up on its second reading and passage to engrossment:

S. B. No. 319, A bill to be entitled "An Act creating in the Treasury a "Child Welfare Service Fund"; providing for the transfer of the now existing accumulated balance from the "Children's Assistance Fund" to the "Child Welfare Service Fund," and appropriating same to the State Department of Public Welfare; transferring the balance on hand not otherwise allocated or appropriated from the "Children's Assistance Fund" to the "General Revenue Fund"; repealing clause; saving clause; and declaring an emergency."

The motion prevailed by the following vote:

#### Yeas—25

Aikin	Mauritz
Brown	Metcalfe
Bullock	Moffett
Carney	Moore
Chadick	Morris
Crawford	Parrish
Graves	Ramsey
Hazlewood	Stone
Jones	Taylor
Knight	Weinert
Lane	Winfield
Lanning	York
Martin	

#### Nays—4

Spears	Sulak
Stanford	Vick

#### Absent—Excused

Kelley	Shivers
--------	---------

The President laid the bill before the Senate, and it was read second time.

Senator Lanning offered the following amendments to the bill:

#### (1)

Amend Senate Bill No. 319 as follows:

Strike out \$137,490.00 in Section 2 and insert in lieu thereof \$100,000.00.

#### (2)

Amend Senate Bill No. 319 as follows:

Strike out \$137,490.00 in Section 3 and insert in lieu thereof \$100,000.00.

The amendments were adopted severally.

#### Record of Votes

Senators Vick, Spears, Sulak and Moffett asked to be recorded as voting "nay" on the adoption of the amendments.

The bill then was passed to engrossment.

#### Record of Vote

Senator Sulak asked to be recorded as voting "nay" on the passage of the bill to engrossment.

#### Senate Bill 319 on Third Reading

Senator Lanning moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 319 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—24

Aikin	Maurtiz
Bullock	Metcalfe
Carney	Moffett
Chadick	Moore
Crawford	Morris
Graves	Parrish
Hazlewood	Ramsey
Jones	Stone
Knight	Taylor
Lane	Weinert
Lanning	Winfield
Martin	York

## Nays—4

Spears	Sulak
Stanford	Vick

## Absent

Brown

## Absent—Excused

Kelley                      Shivers

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—21

Aikin	Metcalfe
Bullock	Moffett
Carney	Moore
Chadick	Morris
Crawford	Parrish
Graves	Ramsey
Hazlewood	Stone
Knight	Taylor
Lane	Weinert
Lanning	York
Mauritz	

## Nays—7

Jones	Sulak
Martin	Vick
Spears	Winfield
Stanford	

## Absent

Brown

## Absent—Excused

Kelley                      Shivers

## Senate Bill 269 on Passage to Engrossment

The President laid before the Senate, as the unfinished special order, on its passage to engrossment (the

bill having been read second time on yesterday):

S. B. No. 269, A bill to be entitled "An Act to amend Section 2a, Section 2b, and Section 3 of Article 6053 of the Revised Civil Statutes of Texas of 1925, as amended, by providing that all containers and pertinent equipment used or to be used for storage, transporting and/or dispensing of liquefied petroleum gases, together with appliances using or to use said gas, shall be designed, constructed, assembled, equipped and installed as specified by the rules and regulations of the Railroad Commission."

Question—Shall the bill be passed to engrossment?

Senator Lane offered the following amendment to the bill:

Amend S. B. No. 269, as substituted by striking out of paragraph three of Section 26 after the words "date of this act" in line four of said paragraph these words: "and satisfies the Commission that the applicant has satisfactory knowledge of the subject matter."

The amendment was adopted.

Senator Ramsey offered the following amendment to the bill:

Amend S. B. No. 269, page 5, line 14, after the word "bond," by adding the words: "if same can be procured"

Senator Stone moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

## Yeas—15

Aikin	Moore
Bullock	Parrish
Chadick	Spears
Graves	Stanford
Hazlewood	Stone
Knight	Vick
Lanning	Winfield
Martin	

## Nays—12

Carney	Moffett
Crawford	Morris
Jones	Ramsey
Lane	Sulak
Mauritz	Taylor
Metcalfe	York

## Absent

Brown                      Weinert

**Absent—Excused**

Kelley                      Shivers

Senate Bill 269 was then passed to engrossment.

**Motion to Place Senate Bill 269 on Third Reading**

Senator Stone moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 269 be placed on its third reading and final passage.

The motion was lost by the following vote (not having received the necessary four-fifths vote):

**Yeas—22**

Aikin	Moffett
Brown	Moore
Bullock	Parrish
Chadick	Spears
Crawford	Stanford
Graves	Stone
Hazlewood	Sulak
Jones	Taylor
Knight	Vick
Lanning	Winfield
Martin	York

**Nays—6**

Carney	Metcalf
Lane	Morris
Mauritz	Ramsey

**Absent**

Weinert

**Absent—Excused**

Kelley                      Shivers

**Senate Bill 253 on Second Reading**

The President laid before the Senate as the special order for this hour on its second reading and passage to engrossment:

S. B. No. 253, A bill to be entitled "An Act making an appropriation for the fiscal year ending August 31, 1945, to the State Board of Control for the CCC Camp in Burnet County, general repairs and improvements of Texas, recently transferred to the State Board of Control by the Federal Government for use in eleemosynary service; making an appropriation to the Board of Control for the biennium ending August 31, 1947, for the payment of various and miscellaneous expense in connection with said CCC

Camp; providing for a restriction on the expenditure of the moneys appropriated; and declaring an emergency."

The bill was read second time.

Senator Stanford offered the following amendment to the bill:

Amend Senate Bill No. 253 by striking out the words "State Board of Control" wherever they appear in the bill and inserting in lieu thereof the following:

"Texas State Parks Board."

Senator Aikin moved to table the amendment.

Yeas and nays were demanded and the motion to table was lost by the following vote:

**Yeas—10**

Aikin	Mauritz
Carney	Metcalf
Chadick	Moffett
Lanning	Stone
Martin	Taylor

**Nays—15**

Brown	Morris
Bullock	Parrish
Crawford	Ramsey
Graves	Spears
Jones	Stanford
Knight	Vick
Lane	Winfield
Moore	

**Absent**

Hazlewood	Weinert
Sulak	York

**Absent—Excused**

Kelley                      Shivers

Question recurring on the amendment, it was adopted.

Senator Aikin moved to lay the bill on the table subject to call.

Senator Mauritz moved to reconsider the vote by which the amendment by Senator Stanford was adopted and asked to have the motion to reconsider spread on the Journal.

Question—Shall the bill be tabled subject to call?

**Message from the House**

Hall of the House of Representatives,  
Austin, Texas,  
April 24, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: I am directed by the House to

inform the Senate that the House has passed the following:

The House refused to concur in Senate Amendments to House Bill 84 and has requested the appointment of a conference committee to consider the difference between the two Houses. The following conferees have been appointed on the part of the House: Lansberry, McLellan, Crosthwait, Lucas, Svadlenak.

Respectfully submitted,

CLARENCE JONES,

Chief Clerk, House of Representatives.

**Motion to Place Senate Bill 269 on Final Passage**

Senator Metcalfe moved to reconsider the vote by which the Senate refused to suspend the constitutional rule requiring bills to be read on three several days and to place Senate Bill No. 269 on its third reading and final passage.

The motion to reconsider prevailed by the following vote:

Yeas 20.

Aikin	Moore
Brown	Morris
Bullock	Parrish
Chadick	Spears
Crawford	Stanford
Graves	Stone
Lanning	Taylor
Martin	Vick
Metcalfe	Winfield
Moffett	York

Nays—9

Carney	Ramsey
Jones	Hazlewood
Knight	Sulak
Lane	Weinert
Mauritz	

Absent—Excused

Kelley	Shivers
--------	---------

Question—Shall the constitutional rule requiring bills to be read on three several days be suspended and S. B. No. 269 placed on its third reading and final passage?

The motion was lost by the following vote (not having received the necessary four-fifths vote):

Yeas—18

Aikin	Graves
Brown	Hazlewood
Bullock	Knight
Crawford	Martin

Metcalfe  
Moffett  
Moore  
Parrish  
Spears

Stanford  
Stone  
Taylor  
Vick  
Winfield

Nays—7

Carney  
Chadick  
Jones  
Lane

Mauritz  
Morris  
Ramsey

Absent

Lanning  
Sulak

Weinert  
York

Absent—Excused

Kelley

Shivers

**Conference Committee on House Bill 84**

Senator Morris called for the consideration at this time of the request of the House for a conference committee to adjust the differences between the two Houses on H. B. No. 84 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following conferees on the bill on the part of the Senate: Senators, Morris, Moore, Sulak, Chadick and Shivers.

**Recess**

On motion of Senator Taylor, the Senate, at 5:00 o'clock p. m., took recess until 10:30 o'clock a. m., tomorrow.

**SIXTY-THIRD DAY—Continued**

(Legislative Tuesday)

(Calendar Wednesday, April 25, 1945)

The Senate met at 10:30 o'clock a. m., and was called to order by the President.

**Executive Session**

On motion of Senator Winfield, and by unanimous consent, the Senate, at 10:35 oclock a. m., agreed to hold an executive session of the Senate immediately.

Accordingly, the floors and galleries were cleared of those not entitled to